

REMARKS

Claims 1-13 are pending in the present application. In the Office Action of September 30, 2004, claims 1-4, 6-10, 12, and 13 were rejected and claims 5 and 11 were objected to. Applicants hereby traverse the rejections as follows:

Objection to the Drawings

The drawings were objected to because on Fig. 1, item 188, "LOAD" should be replaced with -LOCAL—and in Fig. 4, step 408, "REGULATION" should be replaced with -REGISTRATION--. Applicant has amended these drawings and provided corrected replacement sheets attached hereto.

Rejections under 35 U.S.C. 102

Claims 1, 3, 4, 6, 7, 9, 10, 12, and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by Beasley (US 6,055,426). It was alleged that Beasley teaches all of the elements of the rejected claims. Applicant does not believe this to be the case. Specifically, Applicant does not believe that Beasley teaches the element of "if the coverage availability is unable to be determined, the mobile reporting module transmitting a registration request at a second prearranged time" in independent claims 1, 7, and 13.

It was alleged that Beasley teaches the just-mentioned feature in column 4, lines 45-55, column 10 lines 15-21, and column 12 lines 58-61. Applicant examines each of these referenced areas of Beasley, in turn, below.

From Beasley, column 4, lines 45-55:

"Mobile unit 12 continues along route 14 to position 38 where it powers down. The power down procedure may be preceded by issuing an out of service notification. Another important technical advantage of the present invention is that the out of service notification may reduce or eliminate costs associated with failed communication attempts using the cellular network while mobile unit 12 is powered down. Without such a notification, external components may make failed communication attempts to mobile unit 12 since it is still registered and associated with a specific SID."

The above passage from Beasley describes a mobile unit transmitting an "out of service" notification prior to powering down. There is nothing in this paragraph that teaches a registration request being transmitted upon the inability to determine

coverage availability. This paragraph talks about the transmission of an out of service indication, which is different than a registration request. Additionally, there is no teaching that a determination of coverage was unable to be determined. Finally, there is no teaching that a registration request occurs at a second, prearranged time.

From Beasley, column 10, lines 15-21:

“In operation, data transceiver 160 receives a message from mobile unit 12. The message from mobile unit 12 may include the status of mobile 12 (e.g., active, out of coverage, out of service), the identification of mobile unit 12, the identification (e.g., SID, MSCID, SWID) of cellular system 15 currently servicing mobile unit 12, geographic location of mobile unit 12, or any other information regarding the status or location of mobile unit 12.”

Again, there is no teaching in this paragraph that a determination of coverage was unable to be determined, that a registration request was transmitted in response to the determination, or that a registration request occurs at a second, prearranged time.

From Beasley, column 12 lines 58-61:

“If mobile unit 12 has initiated the power down procedure, mobile unit 12 transmits an out of service notification using the cellular telephone network at block 288, and powers down at block 290.”

Again, there is no teaching in this paragraph that a determination of coverage was unable to be determined, that a registration request was transmitted in response to the determination, or that a registration request occurs at a second, prearranged time.

In light of the above, Applicant does not believe that Beasley teaches all of the features of Applicant's independent claims. It therefore follows that Applicant believes that all of the other rejected claims in this section are also not anticipated as being dependent on allowable claims.

Rejections under 35 U.S.C. 103

Claims 2 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Beasley. It was alleged that transmitting a registration request at an even or an odd minute past an hour would simply be a matter of “programming configuration”, and therefore a person with ordinary skill in the art would have arrived at Applicant's claimed invention using this knowledge combined with Beasley.

As stated above, Applicant does not believe that Beasley teaches all of the elements of the claims on which claims 2 and 8 depend. Therefore, Applicant believes that these claims are patentable as being dependent on allowable claims.

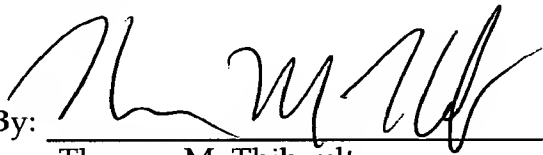
Conclusion

Applicant respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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